

1888-002  
Lee Co.

Chancery Causes: William M. Young vs. William D. Jones &c

Mills, Lipp's, Pridemore

CA-Debt  
T-Property  
Migration

-Deed

63.000.000

"Bent"



To The Hon. A. S. K. Morrison Judge  
of the Circuit Court of Lee  
County Virginia:

Your orator  
Wm. M. Young, humbly com-  
plaining would respectfully  
represent that, on the 25<sup>th</sup>  
day of May 1887, J. B. F. Mills  
Wm D. Jones and D. M. Lipps  
executed their joint and several  
writing obligatory to your ora-  
tor for the sum of \$3,000.00 due  
and payable one year after  
the date thereof and waived the  
benefit of their Homestead ex-  
emptions as to the payment  
thereof. Upon this bond there  
was by the said Jones paid  
\$1000.00 on 8<sup>th</sup> of June 1888. The  
residue is wholly due your  
orator. Said bond is hereint  
filed make "Bond" and is prayed  
to be considered as part hereof.

This bond is a part of the  
purchase price of a valuable  
parcel of land on that day  
sold & conveyed by your or-  
ator to Wm D. Jones the price  
of which was \$10,000.00



Upon the face of said deed the Contract price, and times of payment are fully shown as follows viz: \$1000. to be paid & was paid in three months from said date. And the land hereunto to be paid as stated.

As said deed shows upon its face the amount and times of payment, it is as your orator is advised a substantial retaining of the vendors lien, for such payments; and this your orator alleges is the object for which said statements were made in said deed. A copy of this deed marked "Deed" is here also filed ~~marked~~ and is prayed to be considered as part hereof.

Your orator charges that the said sale was made to said Jones who is the principal creditor, and that said conveyance was made to him. That said Jones is a non-resident of this state, and resides in the state of Pennsylvania and City of Philadelphia, but that he owns



estate and effect in this County  
viz the tract of land in said  
Deed mentioned and set out

The object of this bill therefore  
is to enforce the payment of the  
sums due as aforesaid, by the  
enforcement of the lien aforesaid  
which your orator charges he has  
upon said land. And to attach  
and hold liable said estate and  
lands by attachment thereof for the  
payment of the same, and to have  
so much thereof as may be nec-  
essary sold as will pay the  
same. And for a decree against  
all of said obligors for the same.  
To affect which he prays that  
Wm D. Jones, J. B. H. Mills and  
D. M. Lipps be made parties  
defendants to this bill and that  
they be required to answer the  
same. That said lien be enforced  
against said lands; that same  
be attached and held liable for  
the payment of the sums here-  
under now due. That the same  
or so much thereof be sold as  
may be necessary to pay the  
same and the costs of this suit



C 12.46  
 S 1.00  
 D 5.00  
 A 15.00  
 Estimate

W.F.I.  
 Wm M. Young

v { Bill Chy

Wm D. Jones

1888 1st Nov. Rules Bill  
 filed 3d & 2d in house  
 referred to D. W. as to  
 them, Order Pub & cont  
 " 2d Nov. Rules D. W.  
 Conf. Order Pub & cont  
 3d & 4th Nov. set for the

And per cell after further and  
 General relief may appear  
 as a result.  
 Wood & Fenderson



Wm M. Young

against

Wm D. Jones et al,

In Chf.

This cause came on this day to be heard upon the bill of the plff taken for confessed, with exhibits filed and order of publication duly made & posted, and was argued by Counsel. On consideration of which and for reasons appearing to the Court it is adjudged ordered and decreed that the plff Wm M. Young recover from the defendants Wm D. Jones, J. B. F. Mills and D. M. Lipps the sum of three thousand dollars and legal interest thereon from the 26<sup>th</sup> day of May 1887; Subject however to a credit of one thousand dollars paid June 8<sup>th</sup> 1888; and that he recover the cost of this suit - And unless the defendants or some one for them pay the same within 30 days from the rising of this Court then A. L. Pickens who is hereby appointed a special commissioner for the purpose, will proceed as hereinafter directed to sell the land mentioned in the bill



and attached upon by the sheriff of this County, or so much thereof as may be necessary to pay and satisfy this decree, and upon which it is adjudged the plff by reason of said attachment has a lien.

~~He~~ ~~the~~ Said Commissioner will make sale thereof on some court day at the front door of the Court House of this County by public outcry to the highest bidder on a credit of Six and twelve months.

He will require the cost of suit & sale paid in hand and for the residue take bonds payable to himself as Com bearing interest from day of sale with good personal security for the same.

But before proceeding to sell under this decree said Com will execute before the Clerk of this Court a bond in a penalty of \$4000.<sup>00</sup> with good security, conditioned to duly perform the duties assigned him by this decree. He will <sup>then</sup> post notice, on the front door of the Court House of this County, and at two or more public places <sup>in said County</sup> one of which shall be in the neighborhood where the land



lies, for at least 30 days before sale  
setting out time terms and place  
of sale. But before the plaintiff shall  
have the benefit of this decree or  
sale shall be made hereunder, he  
is required to execute bond in a  
penalty of at least \$4000<sup>00</sup> on condi-  
tion to duly abide by and perform  
any future order or decree made  
in this Cause upon the coming in  
and making defense hereto by the  
non-resident defendant. Said  
Commissioner will report his  
action to this Court at some  
future term & the Cause is con-  
tinued.



C 11.71  
 D 1.50  
 B 5.00  
 It 15.50  
 Estimate

Wm M. Young

v { Decree  
Fur Sale

Wm D. Jones et al  
Dec. 7. 1888

Entered Dec. 6<sup>th</sup> 1888  
 Chas O. B. 173  
 Hyatt Co

Entered this  
 Dec. 6 1888.  
H. S. K. M.



Virginia Lee County to wit:  
This day A.S. Prudenore per-  
sonally appeared before me & re-  
sundered and made oath  
that he is informed and believe,  
that Wm D. Jones is a non-  
resident of the State of Virginia  
and that he owns estate in the County  
of Lee, viz the tract of Land con-  
veyed to him Wm M. Young wife  
see said deed. And further that  
said Wm D. Jones J. B. H. Mills  
and D. M. Lippis are as he is  
informed and believe, justly in-  
debted to Wm M. Young in the  
sum of three thousand dollars  
due one year after the 25<sup>th</sup> day  
of May 1887, with interest from  
said 25<sup>th</sup> day of May 1887, Sub-  
ject to a credit of \$1000. paid of  
~~\$1000.~~ paid June 8<sup>th</sup> 1888.  
Given under my hand this  
Oct 5<sup>th</sup> 1888.

J. B. Hyatt



Wm M. Young

v. J. Affiant

Wm D. Jones et al

Filed Oct 5<sup>th</sup> 1888.

J. A. Hyatt et al



This Deed was this 25<sup>th</sup> day of May in  
the year one thousand eight hundred  
and eighty seven between William M.  
Young and Fannie R. Young his wife of  
the County of Lee in the State of Virginia  
of the first part and William D.  
Jones of the City of Philadelphia  
of the second part, Witnesseth that  
for and in consideration of the  
sum of Two thousand dollars paid  
and to be paid as follows to wit  
one thousand dollars part of the said  
sum of \$10,000<sup>00</sup> is to be paid three months  
from this date with interest from this  
date, Three thousand dollars other  
part of the said sum of \$10,000<sup>00</sup> is  
to be paid twelve months from  
this date with interest thereon from  
this date, Three thousand dollars  
other of the said sum of \$10,000<sup>00</sup> is  
to be paid two years from this date  
with interest thereon from this date  
and Three thousand dollars the  
residue of the said sum of \$10,000<sup>00</sup>  
to be paid three years from this  
date with interest thereon from  
this date, the said parties of the  
first part, have granted bargained



also released and conveyed and  
by these presents do grant bargain  
sell release and convey unto the said  
William D. Jones a certain tract or  
parcel of land situated in the said  
County of Lee in the Wildcat Valley  
on the head waters of the North  
Fork of Clinch river and bounded  
as follows to wit: Beginning at the  
lower corner of Landers tract of land  
on the McBrady line, thence running  
with said McBrady's line to a white  
oak and Elm at the lower  
side of the road thence with the  
McBrady line to a point on a ridge  
opposite the Monroe Lays dwelling  
house thence running from the  
McBrady line up the said ridge  
or spine of the mountain to the lower  
cliff of said mountain and thence  
running around with the said lower  
cliff up the valley a north easterly  
direction to a point at said lower  
cliff opposite the said starting point  
at Landers corner and thence run-  
ning down the mountain to Landers  
said lower corner on the McBrady  
line. Also on other tract of land



situated in said county of Lee in  
the Wild Cat valley adjoining the before  
mentioned tract and bounded as  
follows to wit: Beginning on a  
sugar tree beach and a dogwood  
and double birch at the foot of  
a spur of Powell's mountain and  
running N 54 W 40 poles crossing  
a branch to a locust stump and  
maple near a string branch S 66 W  
214 poles along the foot of Wallin's  
ridge to three white oaks S 27 W 196  
poles to a birch and pines in  
a deep hollow among laurels S 32  
E 150 poles crossing the branch to 3  
white oaks on a ridge near the foot  
of Powell's mountain thence along  
the breaks of the mountain N 36 E  
434 poles to the beginning contain  
ing in both tracts, one thousand  
acres be the same more or less.  
To have and to hold the said  
tracts of lands unto the said William  
D. Jones and his heirs forever, and  
the said parties of the first part  
herely warrant specially only the  
first tract of land above described  
and warrant generally the last



described tract of land.  
Witness the following signatures  
and seals the day and date  
first above written.

W. M. Young Seal  
Fannie R. Young Seal

Virginia } ss.  
Lee County }

I, Carr Bailey a Commissioner  
in chancery for the Circuit Court in  
for the county of Lee and State of  
Virginia do certify that William M. Young  
whose name is signed to the writing  
above, bearing date the 25th day of  
May 1887 has acknowledged the same  
before me in my Court of said. This under my hand  
this the 25th day of May 1887.

Carr Bailey Comm in Chancery for  
the Circuit Court of Lee County.

State of Virginia } ss.  
County of Lee }

I, Carr Bailey a Commissioner in chancery  
for the Circuit Court in and for the County of Lee  
and State of Virginia do certify that William M. Young  
and Fannie R. Young his wife whose names are signed  
to the writing above bearing date on the 25th day of May  
1887 have acknowledged the same before me in my Court



afforded at the said time. I being a party  
the said William M. Young personally appeared before me  
in County and State of Virginia and being examined  
privately and apart from his husband and having the  
aforesaid facts explained to him, he and  
Thomas R. Young acknowledged the said writing to be  
his act and declared that she had willingly executed  
the same and does not wish to retract it.

Gives under her hands this 28th day of March 1847

Carroll Bailey Clerk in Charge

In the Circuit Court of the County of  
Virginia the County Clerk offers for the 28th day  
of March 1847 The foregoing Book bearing date the  
28th 1847 between William M. Young and Sarah  
his wife of the County of Virginia of the first part and  
William G. Jones of the City of Philadelphia of the  
second part was this day filed in this office and admitted  
to record upon the certificate of Carroll Bailey a Commissioner  
in chancery for the Circuit Court of the County of Vir-  
ginia.

Teste John R. Gibson Clerk

Copy of the Record

Teste John R. Gibson Clerk



W. D. Jones

True copy of Deed

Wm Jones & wife

Said Book, 22 P

287

"Deed"

A. L. P. Indemnity 1888  
A. L. P. Indemnity 1888

}

}



Wm M. Young

Against

W. D. Jones et al.

} Lis pendens.

The object of this suit is to attach and hold liable for the payment of the sum of \$2000. and legal interest thereon from the 25<sup>th</sup> day of May 1887. The following described tract of land, sold and conveyed by its p<sup>re</sup>ff. to the defendant Wm D. Jones, viz:  
Two certain tract or parcels of land situated in Wild Cat valley in the head waters of the North Fork of Clinch River the first of which is bounded as follows viz: Beginning at the lower corner of the Lander's tract of land, on the McCracky line; thence running with said McCracky line to a white ~~oak~~ walnut ash and elm at the lower side of the road; thence with the McCracky line to a point on a ridge opposite the Monroe Lajo's dwelling house; thence running down the McCracky line up the said ridge or spur of the mountain to the lower cliff of said mountain and thence



running around with the said  
Lower Cliff up the valley a north  
easterly ~~course~~ direction to a point  
at said Lower Cliff opposite the said  
starting point at Sanders Corner  
and thence running down the mountain  
to Sanders said Corner, on the Mc  
Crack line the beginning. And the  
second track bounded as follows  
viz: Beginning on a Sugar tree  
beech and dogwood and double  
birch at the foot of a spur of  
Powells Mountain and running  
N. 54° W. 45 poles crossing a branch  
to a locust stump and maple near  
a strong branch; S. 66° W. 214 poles  
along the foot of Waller's ridge to  
three whiteoaks; S. 27° W. 196 poles  
to a birch and pointers in a deep  
hollow among laurels; S. 32 E. 130  
poles crossing the branch to 3 white-  
oaks on a ridge near the foot of  
Powells Mountain; thence along the  
~~back~~ of the mountain N. 34° E. 434  
poles to the Beginning containing  
in said two tracks one thousand  
acres be the same more or less  
and which two said tracks have



been attached upon in the above  
styled Cause, and sought to be  
subjected to the payment of the  
Debt Sum of \$2000. as interest  
from May 25<sup>th</sup> 1887.

Wm. M. Young by  
Wood & Prolman atty.

Lee County Court Clerk's Office October 5<sup>th</sup> 1888

The foregoing is pendens of Wm. M. Young  
vs. W. D. Jones et als. was to-day filed in this office  
and is admitted to Record

Wm. M. Young



Wm M. Young

V. L. L. pendus

W. D. Jones et al

Oct 5<sup>th</sup> 1898 Recorded  
in Deed Book No. 23  
page 381.  
Teste. *[Signature]* Blk.



I now all men by these presents  
that we Wm M. Young and  
are held and firmly  
bound unto the Commonwealth of  
Virginia in the just and full sum  
of Four thousand (4000) Dollars  
and for the prompt payment  
thereof well and truly to be  
made unto the said Commonwealth  
we each bind ourselves heirs &c  
and use as to this bond waive  
our Homestead & all other ex-  
emptions, Witness our hands  
and seals this day of  
188.

The Condition of the above  
obligation is such that  
whereas the above bound  
Wm M. Young instituted in  
Lee Circuit Court a Chancery  
suit vs Wm D. Jones et al and  
obtained a Decree therein  
for the sale of certain lands  
mentioned in said Bill,  
But before he was to have  
the benefit of said Decree as  
against said Jones he being  
a non resident, he was



required to execute this bond to  
abide by and perform any future  
orders and decrees which may  
be made in this cause, upon  
the coming in and making  
defense hereto by the non-hei-  
dent defendants. Now therefore  
should the said Young so do  
then this obligation to be void,  
otherwise to remain in full  
force and virtue.

Wm. D. Jeffs  
and  
Wm. M. Young

Wm. D. Jeffs  
and  
Wm. M. Young



From all men by these presents that  
We A. L. Bidmore and J. A. G. Syrett are  
held and firmly bound unto the Com<sup>th</sup>  
of Virginia in the just and full sum  
of Four thousand Dollars, and  
for the prompt payment thereof well  
and truly to be made unto the said  
Commonwealth, we each bind ourselves  
heirs &c. and we as to this bond  
waive our Homestead & all other  
exemptions. Witness our hands and  
Seals this 20<sup>th</sup> day of December  
1888. The Condition of the  
above obligation is such that  
whereas the above bound A. L.  
Bidmore was, by a Decree  
entered in the Chancery Cause  
of Wm. M. Young vs Wm. D. Jones  
et al on the 6<sup>th</sup> Decr. 1888, appoin-  
ted a Special Comr. and directed  
upon certain conditions to make  
sale of certain lands mentioned  
in said Decree. Now therefore  
should the said Bidmore  
faithfully perform the duties  
resigned him and properly  
account for all sums of money  
he may receive as such



Cons. then his obligation to  
be void otherwise to remain  
in full force & virtue

Edw  
C. C.

Wm. W. Young  
in Charles Bond  
Wm. E. Jones et al



Virginia:

In the Clerk's Office of  
the Circuit Court for Talbot County  
on the 5<sup>th</sup> day of October 1888.

Wm. M. Young

Plff

Wm. D. Jones et al

Defts

In Chancery

The object of this suit  
is to recover ~~against~~ the  
defendants 2000<sup>00</sup> the balance  
of the bond exhibited in said  
Bill and interest thereon from  
the 25<sup>th</sup> day of May 1887, until paid  
and costs of suit, and to subject  
to the payment thereof the lands  
in the Bill mentioned which has  
been attached for the purpose.

And it appearing from an affidavit  
filed in this cause that the Defendants  
Wm. D. Jones are now resident of this  
State: It is therefore ordered that  
he appear here within 15 days after  
due publication of this order and  
do what may be necessary to protect  
his interest in this suit.

Attest

Hood and Tidmore P. Qs

Leslie H. G. Hyatt cc



Wm M. Young  
vs <sup>3</sup> Order Pub

Wm D. Jones et al

I Certify that I  
delivered an office  
Copy of this order  
to the C. Eagle for  
publication on the  
5 day of October  
1888 and pasted  
a like Copy thereof  
on the front door  
of the Court house  
at the next Term  
1888 of the County  
Court.

J. Alshatt  
Clerk







tracts containing 1000 acres lies  
the same more or less.  
And not executed out of B. F. Wells  
and D. M. Lipps they not being an  
any bailment, and not executed  
of J. M. D. Wells to be made  
executed, then October 1888  
R. D. Slattery, J. D. D.

**The Commonwealth of Virginia.**

**To The Sheriff Of Lee County Greeting:**

We Command You to Summon

*J. M. D. Jones & B. F.*  
*Wells and D. M. Lipps*

appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday  
*November* next, being rule day to answer a bill in Chancery exhibited in our said Court

against *them* by *J. M. D. Jones*

and have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.  
This *5th* day of *October* 1888, in the 11<sup>th</sup> year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste



# The Commonwealth of Virginia.

To The Sheriff Of <sup>Wise</sup> Lee County Greeting:

We Command You to Summon

*Wm. D. Jones*  
*J. B. F. Miller and E. M. Lipps*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court against *them* by *Wm. M. Young*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.  
This *5th* day of *October* 18*85*, in the 11*3* year of the Commonwealth.

A Copy Teste

*J. A. G. Hyatt* Clerk.  
*J. A. G. Hyatt & Co.*



For  
J<sup>rs</sup> L. Will.



# The Commonwealth of Virginia.

*Wise*  
To The Sheriff Of Lee County Greeting:

We Command You to Summon

*Wm. D. Jones*  
*J. B. L. Mills and D. M. Lippis.*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday  
in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court  
against *them* by *Wm. M. Young*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.  
This *3<sup>rd</sup>* day of *October* 18*88*, in the 11<sup>th</sup> year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste



W.F.P.

Wm M. Young

33 Spainchey

Wm D. Jones et al

Lo 1st Rule Nov. 1888

Extended Com

J B H. Miller

By George and  
with the wife of

George and

Wm D. Jones &

J B H. Miller

Chas. W. Jones

Lo 1st Rule

Nov. 1888